

MICHELE BECKWITH  
Acting United States Attorney  
MATHEW W. PILE, WSBA No. 32245  
Associate General Counsel  
Office of Program Litigation, Office 7  
NOAH SCHABACKER, Maryland Bar  
Special Assistant United States Attorney  
Office of the General Counsel  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235  
Telephone: (303) 844-6232  
Email: Noah.Schabacker@ssa.gov

Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

VICKIE BENNETT,	)	CIVIL NO. 2:24-cv-02385-JDP
Plaintiff,	)	
v.	)	<b>STIPULATION TO VOLUNTARY</b>
LELAND DUDEK,	)	<b>REMAND PURSUANT TO SENTENCE</b>
Acting Commissioner of Social Security, <sup>1</sup>	)	<b>FOUR OF 42 U.S.C. § 405(g) AND TO</b>
Defendant.	)	<b>ENTRY OF JUDGMENT; <del>PROPOSED</del></b>
	)	<b>ORDER</b>

IT IS STIPULATED by and between Plaintiff ("Plaintiff") and Defendant Carolyn Colvin, Acting Commissioner of Social Security ("Commissioner"), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner for further administrative proceedings.

<sup>1</sup> Leland Dudek became the Acting Commissioner of Social Security on February 16, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Leland Dudek should be substituted for Michelle King as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

On remand, the Commissioner will develop the record as necessary; reconsider all relevant issues; offer the claimant the opportunity for a hearing; and issue a new decision. The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

Dated: March 6, 2025

/s/ Francesco P. Benavides\*

FRANCESCO P. BENAVIDES

Attorney for Plaintiff

\*Authorized via e-mail on March 5, 2025

MICHELE BECKWITH

Acting United States Attorney

MATHEW W. PILE

Associate General Counsel

Office of Program Litigation, Office 7

Social Security Administration

By: /s/ Noah Schabacker

NOAH SCHABACKER

Special Assistant United States Attorney

Attorneys for Defendant

**~~[PROPOSED]~~ ORDER**

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown,

**IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

IT IS SO ORDERED.

Dated: March 6, 2025



JEREMY D. PETERSON

UNITED STATES MAGISTRATE JUDGE